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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/031,151	01/14/2002	Aaron Hal Dinwiddie	RCA 89642	6303

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EXAMINER
AUSTIN, SHELTON W

ART UNIT	PAPER NUMBER
2623	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/031,151	DINWIDDIE ET AL.	
	Examiner	Art Unit	
	Shelton Austin	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 September 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15 and 17-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15 and 17-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/27/2007 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-4, 6, 7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knowles (US 2003/0079227) in view of Kim (US 6,519,412), and further in view of Eyer (US 6,160,545).

Considering claim 1, Knowles discloses an apparatus for integrating passwords for accessing programming (paragraph 0073, lines 1-12) from multiple programming providers (see LOCL 701 and HBO2 201 in figure 3), the apparatus comprising:

a memory (paragraph 0072, lines 11-12) for storing a first password (password for a young child—paragraph 0072, lines 1-5) associated with a first programming provider (an IPG that is particular to a first programming provider—paragraph 0071, line 1 - paragraph 0074, line 9. For example, the young child can access LOCL 701 but not HBO2 201) that delivers programming to the apparatus via a first transmission media (Some of the channels may be local channels (see LOCL 701 in figure 3) i.e., in case of a UHF receiver for example (paragraph 0053, lines 1-10), which receives terrestrially broadcast television signals);

temporary memory (7 in figure 1B shows memory to temporarily store input data, i.e. password—paragraph 0072, lines 11-12 and paragraph 0077, lines 7-12) for temporarily storing said first password; and

means for replacing said first password in said temporary storage with said second password to enable said apparatus to allow access to programming from said first and second programming providers (LOCL 701 and HBO. The said means is a microprocessor (10 in figure 1B) that associates the user profile information with the password stored in memory to determine the level of access control for that particular user—paragraph 0072, lines 5-16. Therefore, when the parents enter their master password and the access level is at its highest, they have access to programming from said first and second programming providers without the need to enter their child's

password limited to a particular programming provider—paragraph 0071, line 1 - paragraph 0074, line 9).

Knowles further discloses a memory (paragraph 0072, lines 11-12) for storing a second password (older teenager's password—paragraph 0072, lines 1-4) associated with a second programming provider (an IPG that is specific to a second programming, i.e., HBO—paragraph 0073, line 1 - paragraph 0074, line 9) that delivers programming to the apparatus via a second transmission media distinct from the first transmission media (the other channels may be extended channels (see HBO 2 201 and HBO3 202 in figure 3) modulated from satellite broadcast television signals originating from satellite providers (paragraph 0103, lines 1-6)).

However, Knowles fails to explicitly disclose a removable memory for storing said second password.

In analogous art, Kim discloses a removable memory (i.e. a smart card) for storing password data for viewing restriction purposes (column 4, lines 42-61 and column 6, lines 26-47).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Knowles' system to include a removable memory, as taught by Kim, for the benefit of avoiding the need for a "password input menu" by using a removable memory (i.e. a smart card) that has the password data therein, so as to input the password data by a card reader (column 7, lines 57-62).

Knowles and Kim fail to clearly teach directly delivering programming to the apparatus via a first transmission media and directly delivering programming to the apparatus via a second transmission media distinct from the first transmission media.

In analogous art, Eyer teaches directly delivering programming to the apparatus via a first transmission media (Fig. 1—140, 150 & 155; col. 5, line 37-col. 7, lines 60; col. 3, lines 58-65—second communication medium comprises a cable network, or could be a terrestrial network, e.g. UHF and/or VHF transmission, for transmission directly to an IRD CATV receiver or terrestrial receiver) and directly delivering programming to the apparatus via a second transmission media distinct from the first transmission media (Fig. 1—100, 110, 120 & 160; col. 3, lines 58-65—first communication plant comprises a satellite network for transmission directly to an IRD satellite receiver).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Knowles and Kim by directly delivering programming to the apparatus via a first transmission media and directly delivering programming to the apparatus via a second transmission media distinct from the first transmission media, as taught by Eyer, in order for the television receiver to operate in a plurality of modes for delivery of IPG data, including local and global services (Eyer: col. 8, line 28-col. 10, line 6).

Claim 2 is met by the combination of Knowles, Kim and Eyer. In particular, Knowles discloses that the first and second password each comprise a master

password (There is a master password that can override both the said first and second passwords for every user associated with each IPG—paragraph 0071, line 1 - paragraph 0072, line 12).

Claim 3 is met by the combination of Knowles, Kim and Eyer. In particular, Knowles discloses that the first and second password each further comprises a sub-profile password (paragraph 0072, lines 1-16).

Claim 4 is met by the combination of Knowles, Kim and Eyer. In particular, Kim discloses that the said removable memory is a smart card (column 6, lines 26-47).

Claim 6 is met by the combination of Knowles, Kim and Eyer. In particular, Knowles discloses that the first and second password each comprise a master password (There is a master password that can override both the said first and second passwords for every user associated with each IPG—paragraph 0071, line 1 - paragraph 0072, line 12).

Claim 7 is met by the combination of Knowles, Kim and Eyer. In particular, Knowles discloses that the first and second password each further comprises a sub-profile password (paragraph 0072, lines 1-16).

Considering claim 10, Knowles and Kim disclose that the programming is accessed from first (Knowles—see LOCL 701 in figure 3) and second (Knowles—see HBO2 201 in-figure 3) programming providers via the first and second transmission medias respectively (see the rejection of claim 1 above).

Knowles and Kim fail to disclose a first antenna for receiving signals from the first programming provider via a first transmission media and a second antenna for receiving signals from the second programming provider via a second transmission media.

In analogous art, Eyer teaches a first antenna for receiving signals from the first programming provider via a first transmission media (Fig. 1—140, 150 & 155; col. 5, line 37-col. 7, lines 60; col. 3, lines 58-65—second communication medium comprises a cable network, or could be a terrestrial network, e.g. UHF and/or VHF transmission, for transmission directly to an IRD CATV receiver or terrestrial receiver) and a second antenna for receiving signals from the second programming provider via a second transmission media (Fig. 1—100, 110, 120 & 160; col. 3, lines 58-65—first communication plant comprises a satellite network for transmission directly to an IRD satellite receiver).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Knowles and Kim by directly delivering programming to the apparatus via a first transmission media and directly delivering programming to the apparatus via a second transmission media distinct from the first transmission media, as taught by Eyer, in order for the television receiver to operate in a

plurality of modes for delivery of IPG data, including local and global services (Eyer: col. 8, line 28-col. 10, line 6).

5. Claims 5, 8, 9, 11-15 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim (US 6,5i9,412) in view of Knowles (US 2003/0079227), and further in view of Eyer (US 5,650,827).

Considering claim 5, Kim discloses determining whether an access card is coupled to an integrated television system (column 6, lines 26-67); if said access card is coupled to the integrated television system,

processing a first password (input password data) received from said access card to access programming; and

if said access card is not coupled to the integrated television system, processing a second password (preset password data) to access at least some of the programming delivered to the integrated television system via at least one of the transmission media and precludes access to programming delivered to the integrated television system via at least one other of the transmission media (column 6, lines 26-67 and column 7, line 11 - column 8, line 11).

Kim fails to disclose that the multiple programming providers deliver the programming via different transmission media.

In analogous art, Knowles discloses that the programming is accessed from first (see LOCL 701 in figure 3) and second (see HBO2 201 in figure 3) programming providers and each of the multiple programming providers uses a respective different

one of the different transmission media to deliver the programming to the integrated television system (terrestrially broadcast television signals and satellite broadcast television signals originating from satellite providers as mentioned in the rejection of claim 1 above).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kim' system to include accessing programming from multiple programming providers, as taught by Knowles, for the benefit of easily distinguishing the access level of programming for a user with a particular programming provider (paragraph 0071, line 1 - paragraph 0074, line 9).

Kim and Knowles, however, fail to clearly teach programming is delivered directly by multiple programming providers to the integrated television system via different transmission media.

In analogous art, Eyer teaches directly delivering programming to the apparatus via a first transmission media (Fig. 1—140, 150 & 155; col. 5, line 37-col. 7, lines 60; col. 3, lines 58-65—second communication medium comprises a cable network, or could be a terrestrial network, e.g. UHF and/or VHF transmission, for transmission directly to an IRD CATV receiver or terrestrial receiver) and directly delivering programming to the apparatus via a second transmission media distinct from the first transmission media (Fig. 1—100, 110, 120 & 160; col. 3, lines 58-65—first communication plant comprises a satellite network for transmission directly to an IRD satellite receiver).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Knowles and Kim by directly delivering programming to the apparatus via a first transmission media and directly delivering programming to the apparatus via a second transmission media distinct from the first transmission media, as taught by Eyer, in order for the television receiver to operate in a plurality of modes for delivery of IPG data, including local and global services (Eyer: col. 8, line 28-col. 10, line 6).

Claim 8 is met by the combination of Kim, Knowles and Eyer. In particular, Knowles discloses writing said second password (child's password with limited access level) to temporary storage for use when a first password (master password) is not received; and overwriting said second password in temporary storage with said first password when said first password is received (The passwords are stored in their respective memory location and when the master password is received, it overrides the other passwords so as to acquire the highest access level—paragraph 0072, lines 1-16 and paragraph 0104, line 5- paragraph 0105, line 11).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Knowles' system to include an access card associated with the first password, as taught by Kim, for the benefit of avoiding the need for a "password input menu" by using an access card (i.e. a smart card) that has the password data therein, so as to input the password data by a card reader (Kim—column 7, lines 57-62).

Claim 9 is met by the combination of Kim, Knowles and Eyer. In particular, Kim discloses validating said access card before using said first password (column 1, lines 53-60 and column 6, lines 42-47).

Regarding claim 11, refer to the rejection of claims 10.

Regarding claim 12, refer to the rejections of claims 1 and 5.

Claim 13 is met by the combination of Knowles, Kim and Eyer. In particular, Knowles discloses that the first and second password each comprise a master password (There is a master password that can override both the said first and second passwords for every user associated with each IPG—paragraph 0071, line 1, paragraph 0072, line 12).

Claim 14 is met by the combination of Knowles, Kim and Eyer. In particular, Knowles discloses that the first and second password each further comprises a sub-profile password (paragraph 0072, lines 1-16).

Claim 15 is met by the combination of Knowles, Kim and Eyer. In particular, Kim discloses that the access card comprises a smart card (Kim—column 6, lines 26-47).

Claim 17 is met by the combination of Knowles, Kim and Eyer. In particular, Knowles discloses that the programming associated with the first and second programming providers are received via different types of transmission media. (Some of the channels may be just local channels (see LOCL 701 in figure 3) i.e., in case of a UHF receiver for example (paragraph 0053, lines 1-10), which receives terrestrially broadcast television signals, and the others may be extended channels (see HBO 2 201 and HBO3 202 in figure 3) modulated from satellite broadcast television signals originating from satellite providers (paragraph 0103, lines 1-6). Eyer further teaches directly receiving programming from different programming providers via respective different transmission media (Fig. 1—140, 150 & 155; col. 5, line 37-col. 7, lines 60; col. 3, lines 58-65—second communication medium comprises a cable network, or could be a terrestrial network, e.g. UHF and/or VHF transmission, for transmission directly to an IRD CATV receiver or terrestrial receiver; Fig. 1—100, 110, 120 & 160; col. 3, lines 58-65—first communication plant comprises a satellite network for transmission directly to an IRD satellite receiver).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Knowles and Kim by directly delivering programming to the apparatus via a first transmission media and directly delivering programming to the apparatus via a second transmission media distinct from the first transmission media, as taught by Eyer, in order for the television receiver to operate in a plurality of modes for delivery of IPG data, including local and global services (Eyer: col. 8, line 28-col. 10, line 6)..

Regarding claims 18-20, refer to the rejections of claims 1, 5 and 12 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shelton Austin whose telephone number is (571) 272-9385. The examiner can normally be reached on Monday through Thursday from 8:00-5:30. The examiner can also be reached on Fridays from 9:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant, whose telephone number is (571) 272-7294, can be reached on Monday through Friday from 7:30-5:00. The supervisor can also be reached on alternate Fridays from 9:00-4:00. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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